

Effective 5/10/2016

62A-4a-903 Eligibility.

- (1) The Division of Child and Family Services shall establish, by rule, eligibility criteria for the receipt of adoption assistance and supplemental adoption assistance.
- (2) Eligibility determination shall be based upon:
 - (a) the needs of the child;
 - (b) the resources available to the child; and
 - (c) the federal requirements of Section 473, Social Security Act.
- (3) The division:
 - (a) may, to the extent funds are available, use state funds appropriated for adoption assistance to provide post-adoption services to a child who is adopted from the custody of the division; and
 - (b) unless a parent or guardian of a child who is adopted from the custody of the division expressly requests otherwise, may not require, request, or recommend that a parent terminate parental rights, or that a parent or guardian transfer or surrender custodial rights, in order to receive post-adoption services for the child, regardless of whether funds for the post-adoption services come from funds appropriated for adoption assistance or post-adoption services.

Amended by Chapter 219, 2016 General Session